

Appellant: John E. McGinn Page 3  
Serial No.: 10/753,522  
Filed: January 8, 2004 Docket: ROC920030243US1  
Title: Contacting a Recipient by a Preferred Technique via a Page

**S/N 10/753,522**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: John E. McGinn Examiner: Lechi Truong  
Serial No.: 10/753,522 Group Art Unit: 2194  
Filed: January 8, 2004 Confirmation Number: 9845  
Docket: ROC920030243US1  
Title: Contacting a Recipient by a Preferred Technique via a Page

**APPEAL BRIEF**  
**TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**  
**OF THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Mail Stop Appeal Brief-Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

This brief is presented in support of the Notice of Appeal filed on January 26, 2009, from the Final Rejection of claims 1-21 of the above-identified application, as set forth in the Final Office Action mailed on September 25, 2008.

Please charge \$540.00 to Deposit Account 09-0465 to cover the fee for filing an appeal brief. Please charge any additional fees or credit overpayment to Deposit Account 09-0465. Appellant respectfully requests reversal of the Examiner's rejection of pending claims 1-21.

**Table of Contents**

1. REAL PARTY IN INTEREST .....	5
2. RELATED APPEALS AND INTERFERENCES .....	6
3. STATUS OF CLAIMS .....	7
4. STATUS OF AMENDMENTS .....	8
5. SUMMARY OF CLAIMED SUBJECT MATTER .....	9
6. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL .....	20
7. ARGUMENT .....	21
8. CLAIMS APPENDIX .....	32
9. EVIDENCE APPENDIX .....	40
10. RELATED PROCEEDINGS APPENDIX .....	41

Appellant: John E. McGinn Page 5  
Serial No.: 10/753,522  
Filed: January 8, 2004 Docket: ROC920030243US1  
Title: Contacting a Recipient by a Preferred Technique via a Page

**1. Real Party in Interest**

The real party in interest, in addition to the inventors, John E. McGinn and Paul W. Buenger, is the assignee, International Business Machines Corporation, a corporation organized and existing under and by virtue of the laws of the State of New York, and having an office and place of business at New Orchard Road, Armonk, New York 10504.

Appellant:	John E. McGinn	Page 6
Serial No.:	10/753,522	
Filed:	January 8, 2004	Docket: ROC920030243US1
Title:	Contacting a Recipient by a Preferred Technique via a Page	

## **2. Related Appeals and Interferences**

There are no other prior or pending appeals, interferences, or judicial proceedings, which may be related to, directly affect or be directly affected by, or have a bearing on the Board's decision.

Appellant:	John E. McGinn	Page 7
Serial No.:	10/753,522	
Filed:	January 8, 2004	Docket: ROC920030243US1
Title:	Contacting a Recipient by a Preferred Technique via a Page	

### **3. Status of Claims**

On January 26, 2009, appellant appealed from the final rejection of claims 1-21 made in the Final Office Action dated September 25, 2008. Finally rejected claims 1-21 on appeal are set forth in the Claims Appendix.

Appellant: John E. McGinn Page 8  
Serial No.: 10/753,522  
Filed: January 8, 2004 Docket: ROC920030243US1  
Title: Contacting a Recipient by a Preferred Technique via a Page

#### **4. Status of Amendments**

Subsequent to the Final Office Action dated September 25, 2008, appellant did not file any amendments.

### **5. Summary of Claimed Subject Matter**

As described, by way of example and not of limitation, at page 3, lines 2-6 of appellant's specification and as illustrated, by way of example and not of limitation, at Fig. 1, elements 102, 104, 106, 130, 140, 150, 162, and 172, at Fig. 3, elements 140 and 306, at Fig. 4, element 430, and at Fig. 5, elements 505, 510, 515, 520, 525, 530, 535, and 540, "A method, apparatus, system, and signal-bearing medium are provided that in an embodiment determine a server and a preferred delivery technique for a recipient based on information encoded in a page. In various embodiments, an identification of the server may be encoded in the page. The recipient is selected via the page, and a message is sent to the recipient via the server and the preferred delivery technique."

With reference to claim 1, an embodiment of the invention comprises a method, which is described, by way of example and not of limitation, in the specification, at page 3, line 2, at page 4, lines 5-27, at page 5, lines 1-27, at page 6, lines 1-28, at page 7, lines 1-28, at page 8, lines 1-27, at page 9, lines 1-28, at page 10, lines 1-19, at page 14, lines 1-27, at page 15, lines 1-26, and at page 16, lines 1-23, at Fig. 1, elements 102, 104, 106, 130, 140, 150, 162, and 172, at Fig. 3, elements 140 and 306, at Fig. 4, element 430, and at Fig. 5, elements 505, 510, 515, 520, 525, 530, 535, and 540.

With further reference to claim 1, the method further comprises determining a server and a preferred delivery technique associated with a recipient in response to a message intended for the recipient selected via a page, wherein the determining further comprises finding a telephone area code, a telephone exchange, and a telephone number of the recipient in the page and determining the server that is identified by the telephone area code, wherein the server is physically located within a region served by the telephone area code, which is described, by way of example and not of limitation, in the specification, at page 3, lines 2-6, at page 3, lines 24-25, at page 4, lines 1-4, at page 5, lines 8-19, at page 9, lines 21-28, at page 11, lines 20-25, at page 12, lines 1-27, at page 13, lines 1-27, at page 14, lines 1-27, at Fig. 1, elements 106, 130, and 140, at Fig. 3, elements 140, 305, 306, 307, 310, and 315, and at Fig. 4, elements 420, 425, and 430.

With further reference to claim 1, the method further comprises sending the message and an indication of the preferred delivery technique to the server, wherein the sending further comprises sending the message and the indication of the preferred delivery technique to a queue at the server, wherein the queue is associated with a printer, the telephone area code, and the telephone exchange, wherein the message further comprises a file, and wherein the sending further comprises appending the telephone number of the recipient to a name of the file that is sent to the queue, which is described, by way of example and not of limitation, in the specification, at page 3, lines 2-6, at page 3, lines 24-25, at page 4, lines 1-4, at page 5, lines 8-19, at page 7, lines 12-28, at page 8, lines 1-12, at page 12, lines 1-27, at page 13, lines 1-27, at page 14, lines 1-27, at page 15, lines 1-7, at Fig. 1, elements 106 and 140, and 174, at Fig. 3, elements 140, 305, 306, 307, 310, and 315, and at Fig. 4, element 430.

With further reference to claim 1, the server sends a fax of the message to the recipient if the preferred delivery technique comprises a fax transmission, which is described, by way of example and not of limitation, in the specification, at page 9, lines 21-25, at page 16, lines 1-9, at Fig. 1, elements 106, 124, 130, 172, and 176, at Fig. 3, elements 140 and 315, and at Fig. 5, elements 520 and 525.

With further reference to claim 1, the server calls the recipient and plays the message if the preferred delivery technique comprises voice, which is described, by way of example and not of limitation, in the specification, at page 9, lines 21-25, at page 15, lines 15-26, at Fig. 1, elements 106, 124, 130, 172, and 176, and at Fig. 5, elements 510 and 515.

With further reference to claim 1, the server sends an email of the message to the recipient if the preferred delivery technique comprises an email transmission, which is described, by way of example and not of limitation, in the specification, at page 9, lines 21-25, at page 16, lines 15-16, at Fig. 1, elements 106, 108, 130, 172, and 176, and at Fig. 5, elements 530 and 535.

With further reference to claim 1, the server prints and mails the message to the recipient if the preferred delivery technique comprises a physical delivery, which is described, by way of example and not of limitation, in the specification, at page 9, lines 21-25, at page 16, lines 17-22, at Fig. 1, elements 106, 108, 130, 172, and 176, and at Fig. 5, elements 530 and 540.



With reference to claim 2, the file further comprises a spool file, which is described, by way of example and not of limitation, in the specification, at page 7, lines 26-28, at page 8, lines 10-12, and at page 13, lines 17-20.

With reference to claim 3, the preferred delivery technique is encoded in the page, which is described, by way of example and not of limitation, in the specification, at page 3, lines 2-5, at page 15, lines 1-3, at Fig. 1, element 140, and at Fig. 3, element 315.

With reference to claim 4, wherein the message further comprises an order for services, which is described, by way of example and not of limitation, in the specification, at page 1, lines 26-29, at page 5, lines 8-19, at page 12, lines 9-18, and at Fig. 2B, elements 250 and 260.

With reference to claim 5, wherein the message further comprises an order for goods, which is described, by way of example and not of limitation, in the specification, at page 1, lines 26-29, at page 5, lines 8-19, at page 12, lines 9-18, and at Fig. 2B, elements 250 and 260.

With reference to claim 6, an embodiment of the invention comprises an apparatus comprising various means, which is described, by way of example and not of limitation, in the specification, at page 3, line 2, at page 4, lines 5-27, at page 5, lines 1-27, at page 6, lines 1-28, at page 7, lines 1-28, at page 8, lines 1-27, at page 9, lines 1-28, at page 10, lines 1-27, at page 11, lines 1-5, and at Fig. 1, elements 102, 104, 106, 124, 126, 151, 152, 160, 162, 164, 168, and 176.

With reference to claim 6, the apparatus comprises means for determining a server and a preferred delivery technique associated with a recipient in response to a message intended for the recipient selected via a page, wherein the preferred delivery technique is encoded in the page, wherein the means for determining the server further comprises means for finding a telephone area code and a telephone exchange of the recipient in the page and means for determining the server that is identified by the telephone area code, wherein the server is physically located within a region served by the telephone area code, which is described, by way of example and not of limitation, in the specification, at page 3, lines 2-6, at page 3, lines 24-25, at page 4, lines 1-4, at page 5, lines 8-19, at page 9, lines 21-28, at page 11, lines 20-25, at page 12, lines 1-27, at page 13, lines 1-27, at page 14, lines 1-27, at

Fig. 1, elements 106, 130, and 140, at Fig. 3, elements 140, 305, 306, 307, 310, and 315, at Fig. 4, elements 420, 425, and 430.

With reference to claim 6, the apparatus further comprises means for sending the message to the recipient via the preferred delivery technique and the server, wherein the means for sending further comprises means for sending the message and the indication of the preferred delivery technique to a queue at the server, wherein the queue is associated with a printer, the telephone area code, and the telephone exchange, wherein the message further comprises a file, and wherein the sending further comprises appending the telephone number of the recipient to a name of the file that is sent to the queue, wherein the server, which is described, by way of example and not of limitation, in the specification, at page 3, lines 2-6, at page 3, lines 24-25, at page 4, lines 1-4, at page 5, lines 8-19, at page 7, lines 12-28, at page 8, lines 1-12, at page 12, lines 1-27, at page 13, lines 1-27, at page 14, lines 1-27, at page 15, lines 1-7, at Fig. 1, elements 106 and 140, and 174, at Fig. 3, elements 140, 305, 306, 307, 310, and 315, at Fig. 4, element 430.

With further reference to claim 6, the server sends a fax of the message to the recipient if the preferred delivery technique comprises a fax transmission, which is described, by way of example and not of limitation, in the specification, at page 9, lines 21-25, at page 16, lines 1-9, at Fig. 1, elements 106, 124, 130, 172, and 176, at Fig. 3, elements 140 and 315, and at Fig. 5, elements 520 and 525.

With further reference to claim 6, the server calls the recipient and plays the message if the preferred delivery technique comprises voice, which is described, by way of example and not of limitation, in the specification, at page 9, lines 21-25, at page 15, lines 15-26, at Fig. 1, elements 106, 124, 130, 172, and 176, and at Fig. 5, elements 510 and 515.

With further reference to claim 6, the server sends an email of the message to the recipient if the preferred delivery technique comprises an email transmission, which is described, by way of example and not of limitation, in the specification, at page 9, lines 21-25, at page 16, lines 15-16, at Fig. 1, elements 106, 108, 130, 172, and 176, and at Fig. 5, elements 530 and 535.

With further reference to claim 6, the server prints and mails the message to the recipient if the preferred delivery technique comprises a physical delivery, which is

described, by way of example and not of limitation, in the specification, at page 9, lines 21-25, at page 16, lines 17-22, at Fig. 1, elements 106, 108, 130, 172, and 176, and at Fig. 5, elements 530 and 540.

With reference to claim 7, the file further comprises a spool file, which is described, by way of example and not of limitation, in the specification, at page 7, lines 26-28, at page 8, lines 10-12, and at page 13, lines 17-20.

With reference to claim 8, the server is further physically located within the region served by the telephone area code and the telephone exchange, which is described, by way of example and not of limitation, in the specification, at page 14, lines 25-28, at Fig. 1, element 106, and at Fig. 3, element 307.

With reference to claim 9, the message further comprises an order for goods, which is described, by way of example and not of limitation, in the specification, at page 1, lines 26-29, at page 5, lines 8-19, at page 12, lines 9-18, and at Fig. 2B, elements 250 and 260.

With reference to claim 10, the message further comprises an order for services, which is described, by way of example and not of limitation, in the specification, at page 1, lines 26-29, at page 5, lines 8-19, at page 12, lines 9-18, and at Fig. 2B, elements 250 and 260.

With reference to claim 11, an embodiment of the invention comprises a storage medium encoded with instructions, wherein the instructions when executed, which is described, by way of example and not of limitation, in the specification, at page 5, lines 1-7, at page 6, lines 9-28, at page 7, lines 1-24, at page 10, lines 10-27, at page 11, lines 1-5, and at Fig. 1, element 141, 150, 160, 162, and 172.

With reference to claim 11, the instructions when executed comprise encoding an identification of a recipient, a telephone number for the recipient, and a preferred delivery technique for messages intended for the recipient into a page, which is described, by way of example and not of limitation, in the specification, at page, at page 14, lines 1-7, at Fig. 1, elements 140 and 141, at Fig. 3, elements 140, 305, 306, 307, 310, and 315, and at Fig. 4, element 405.

With reference to claim 11, the instructions when executed comprise determining a server and the preferred delivery technique associated with the recipient in response to a message intended for the recipient selected via the page, wherein the determining further comprises finding a telephone area code, a telephone exchange, and the telephone number of the recipient in the page and determining the server that is identified by the telephone area code, wherein the server is physically located within a region served by the telephone area code, which is described, by way of example and not of limitation, in the specification, at page 3, lines 2-6, at page 3, lines 24-25, at page 4, lines 1-4, at page 5, lines 8-19, at page 9, lines 21-28, at page 11, lines 20-25, at page 12, lines 1-27, at page 13, lines 1-27, at page 14, lines 1-27, at Fig. 1, elements 106, 130, and 140, at Fig. 3, elements 140, 305, 306, 307, 310, and 315, at Fig. 4, elements 420, 425, and 430.

With reference to claim 11, wherein the instructions when executed comprise sending the message and an indication of the preferred delivery technique to the server, wherein the sending further comprises sending the message and the indication of the preferred delivery technique to a queue at the server, wherein the queue is associated with a printer, the telephone area code, and the telephone exchange, wherein the message further comprises a file, and wherein the sending further comprises appending the telephone number of the recipient to a name of the file that is sent to the queue, which is described, by way of example and not of limitation, in the specification, at page 3, lines 2-6, at page 3, lines 24-25, at page 4, lines 1-4, at page 5, lines 8-19, at page 7, lines 12-28, at page 8, lines 1-12, at page 12, lines 1-27, at page 13, lines 1-27, at page 14, lines 1-27, at page 15, lines 1-7, at Fig. 1, elements 106 and 140, and 174, at Fig. 3, elements 140, 305, 306, 307, 310, and 315, at Fig. 4, element 430.

With reference to claim 11, the server sends a fax of the message to the recipient if the preferred delivery technique comprises a fax transmission, which is described, by way of example and not of limitation, in the specification, at page 9, lines 21-25, at page 16, lines 1-9, at Fig. 1, elements 106, 124, 130, 172, and 176, at Fig. 3, elements 140 and 315, and at Fig. 5, elements 520 and 525.

With reference to claim 11, the server calls the recipient and plays the message if the preferred delivery technique comprises voice, which is described, by way of example and not

of limitation, in the specification, at page 9, lines 21-25, at page 15, lines 15-26, at Fig. 1, elements 106, 124, 130, 172, and 176, and at Fig. 5, elements 510 and 515.

With reference to claim 11, the server sends an email of the message to the recipient if the preferred delivery technique comprises an email transmission, which is described, by way of example and not of limitation, in the specification, at page 9, lines 21-25, at page 16, lines 15-16, at Fig. 1, elements 106, 108, 130, 172, and 176, and at Fig. 5, elements 530 and 535.

With reference to claim 11, the server prints and mails the message to the recipient if the preferred delivery technique comprises a physical delivery, which is described, by way of example and not of limitation, in the specification, at page 9, lines 21-25, at page 16, lines 17-22, at Fig. 1, elements 106, 108, 130, 172, and 176, and at Fig. 5, elements 530 and 540.

With reference to claim 12, the file further comprises a spool file, which is described, by way of example and not of limitation, in the specification, at page 7, lines 26-28, at page 8, lines 10-12, and at page 13, lines 17-20.

With reference to claim 13, the message further comprises an order for goods, which is described, by way of example and not of limitation, in the specification, at page 1, lines 26-29, at page 5, lines 8-19, at page 12, lines 9-18, and at Fig. 2B, elements 250 and 260.

With reference to claim 14, the message further comprises an order for services, which is described, by way of example and not of limitation, in the specification, at page 1, lines 26-29, at page 5, lines 8-19, at page 12, lines 9-18, and at Fig. 2B, elements 250 and 260.

With reference to claim 15, wherein the server is further physically located within the region served by the telephone area code and the telephone exchange, which is described, by way of example and not of limitation, in the specification, at page 14, lines 25-28, at Fig. 1, element 106, and at Fig. 3, element 307.

With reference to claim 16, an embodiment of the invention comprises an electronic device, which is described, by way of example and not of limitation, in the specification, at page 4, lines 5-27, at page 5, lines 1-27, at page 6, lines 1-28, at page 7, lines 28, at page 8, lines 1-24, at page 9, lines 21-28, at page 10, lines 1-9, at Fig. 1, elements 102, 104, 106, and 124.

With reference to claim 16, an embodiment of the invention comprises a processor, which is described, by way of example and not of limitation, in the specification, at page 6, lines 9-23, and at Fig. 1, element 160.

With reference to claim 16, an embodiment of the invention comprises a storage device encoded with instructions, wherein the instructions when executed on the processor, which is described, by way of example and not of limitation, in the specification, at page 6, lines 9-23, at page 7, lines 1-28, at page 10, lines 10-27, at page 11, lines 1-5, and at Fig. 1, elements 160, 162, and 172.

With reference to claim 16, the instructions when executed on the processor comprise determining a server and a preferred delivery technique associated with a recipient in response to a message intended for the recipient selected via a page, wherein the preferred delivery technique and an identification of the server are encoded in the page, wherein the determining further comprises finding a telephone area code, a telephone exchange, and a telephone number of the recipient in the page and determining the server that is identified by the telephone area code, wherein the server is physically located within a region served by the telephone area code, which is described, by way of example and not of limitation, in the specification, at page 3, lines 2-6, at page 3, lines 24-25, at page 4, lines 1-4, at page 5, lines 8-19, at page 9, lines 21-28, at page 11, lines 20-25, at page 12, lines 1-27, at page 13, lines 1-27, at page 14, lines 1-27, at Fig. 1, elements 106, 130, and 140, at Fig. 3, elements 140, 305, 306, 307, 310, and 315, at Fig. 4, elements 420, 425, and 430.

With reference to claim 16, the instructions when executed on the processor comprise sending the message to the recipient via the preferred delivery technique and the server, wherein the sending further comprises sending the message and the indication of the preferred delivery technique to a queue at the server, wherein the queue is associated with a printer, the telephone area code, and the telephone exchange, wherein the message further comprises a file, and wherein the sending further comprises appending the telephone number of the recipient to a name of the file that is sent to the queue, which is described, by way of example and not of limitation, in the specification, at page 3, lines 2-6, at page 3, lines 24-25, at page 4, lines 1-4, at page 5, lines 8-19, at page 7, lines 12-28, at page 8, lines 1-12, at page 12, lines 1-27, at page 13, lines 1-27, at page 14, lines 1-27, at page 15, lines 1-7, at Fig. 1,

elements 106 and 140, and 174, at Fig. 3, elements 140, 305, 306, 307, 310, and 315, at Fig. 4, element 430.

With reference to claim 16, the server sends a fax of the message to the recipient if the preferred delivery technique comprises a fax transmission, which is described, by way of example and not of limitation, in the specification, at page 9, lines 21-25, at page 16, lines 1-9, at Fig. 1, elements 106, 124, 130, 172, and 176, at Fig. 3, elements 140 and 315, and at Fig. 5, elements 520 and 525.

With reference to claim 16, the server calls the recipient and plays the message if the preferred delivery technique comprises voice, which is described, by way of example and not of limitation, in the specification, at page 9, lines 21-25, at page 15, lines 15-26, at Fig. 1, elements 106, 124, 130, 172, and 176, and at Fig. 5, elements 510 and 515.

With reference to claim 16, the server sends an email of the message to the recipient if the preferred delivery technique comprises an email transmission, which is described, by way of example and not of limitation, in the specification, at page 9, lines 21-25, at page 16, lines 15-16, at Fig. 1, elements 106, 108, 130, 172, and 176, and at Fig. 5, elements 530 and 535.

With reference to claim 16, the server prints and mails the message to the recipient if the preferred delivery technique comprises a physical delivery, which is described, by way of example and not of limitation, in the specification, at page 9, lines 21-25, at page 16, lines 17-22, at Fig. 1, elements 106, 108, 130, 172, and 176, and at Fig. 5, elements 530 and 540.

With reference to claim 17, the server is further physically located within the region served by the telephone area code and the telephone exchange, which is described, by way of example and not of limitation, in the specification, at page 14, lines 25-28, at Fig. 1, element 106, and at Fig. 3, element 307.

With reference to claim 18, the file further comprises a spool file, which is described, by way of example and not of limitation, in the specification, at page 7, lines 26-28, at page 8, lines 10-12, and at page 13, lines 17-20.

With reference to claim 19, the message further comprises an order for goods, which is described, by way of example and not of limitation, in the specification, at page 1, lines 26-29, at page 5, lines 8-19, at page 12, lines 9-18, and at Fig. 2B, elements 250 and 260.

With reference to claim 20, the message further comprises an order for services, which is described, by way of example and not of limitation, in the specification, at page 1, lines 26-29, at page 5, lines 8-19, at page 12, lines 9-18, and at Fig. 2B, elements 250 and 260.

With reference to claim 21, an embodiment of the invention comprises a method of configuring a computing device to perform a method of contacting a recipient by a preferred technique via a page, which is described, by way of example and not of limitation, in the specification, at page 3, lines 24-25, at page 4, lines 1-27, at page 5, lines 1-27, at page 6, lines 1-28, at page 7, lines 28, at page 8, lines 1-24, at page 9, lines 21-28, at page 10, lines 1-9, at page 11, lines 20-25, at page 12, lines 1-27, at page 13, lines 1-27, at page 14, lines 1-27, at page 15, lines 1-26, at page 16, lines 1-23, at Fig. 1, elements 104, 106, 102, and 124, at Fig. 4, elements 405, 410, 415, 420, 425, and 430, and at Fig. 5, elements 505, 510, 515, 520, 525, 530, 535, and 540.

With reference to claim 21, the method comprises configuring a computing device to determine a server and a preferred delivery technique associated with a recipient in response to a message intended for the recipient selected via a page, wherein the configuring the computing device to determine further comprises configuring the computing device to find a telephone area code, a telephone exchange, and a telephone number of the recipient in the page and determine the server that is identified by the telephone area code, wherein the server is physically located within a region served by the telephone area code, which is described, by way of example and not of limitation, in the specification, at page 3, lines 2-6, at page 3, lines 24-25, at page 4, lines 1-4, at page 5, lines 8-19, at page 9, lines 21-28, at page 11, lines 20-25, at page 12, lines 1-27, at page 13, lines 1-27, at page 14, lines 1-27, at Fig. 1, elements 106, 130, and 140, at Fig. 3, elements 140, 305, 306, 307, 310, and 315, at Fig. 4, elements 420, 425, and 430.

With reference to claim 21, the method comprises configuring the computing device to send the message and an indication of the preferred delivery technique to the server, wherein the configuring the computing device to send further comprises configuring the computing device to send the message and the indication of the preferred delivery technique to a queue at the server, wherein the queue is associated with a printer, the telephone area



code, and the telephone exchange, wherein the message further comprises a file, and wherein the configuring the computing device to send further comprises configuring the computing device to append the telephone number of the recipient to a name of the file that is sent to the queue, which is described, by way of example and not of limitation, in the specification, at page 3, lines 2-6, at page 3, lines 24-25, at page 4, lines 1-4, at page 5, lines 8-19, at page 7, lines 12-28, at page 8, lines 1-12, at page 12, lines 1-27, at page 13, lines 1-27, at page 14, lines 1-27, at page 15, lines 1-7, at Fig. 1, elements 106 and 140, and 174, at Fig. 3, elements 140, 305, 306, 307, 310, and 315, at Fig. 4, element 430.

With reference to claim 21, the server sends a fax of the message to the recipient if the preferred delivery technique comprises a fax transmission, which is described, by way of example and not of limitation, in the specification, at page 9, lines 21-25, at page 16, lines 1-9, at Fig. 1, elements 106, 124, 130, 172, and 176, at Fig. 3, elements 140 and 315, and at Fig. 5, elements 520 and 525.

With reference to claim 21, the server calls the recipient and plays the message if the preferred delivery technique comprises voice, which is described, by way of example and not of limitation, in the specification, at page 9, lines 21-25, at page 15, lines 15-26, at Fig. 1, elements 106, 124, 130, 172, and 176, and at Fig. 5, elements 510 and 515.

With reference to claim 21, the server sends an email of the message to the recipient if the preferred delivery technique comprises an email transmission, which is described, by way of example and not of limitation, in the specification, at page 9, lines 21-25, at page 16, lines 15-16, at Fig. 1, elements 106, 108, 130, 172, and 176, and at Fig. 5, elements 530 and 535.

With reference to claim 21, the server prints and mails the message to the recipient if the preferred delivery technique comprises a physical delivery, which is described, by way of example and not of limitation, in the specification, at page 9, lines 21-25, at page 16, lines 17-22, at Fig. 1, elements 106, 108, 130, 172, and 176, and at Fig. 5, elements 530 and 540.

#### **6. Grounds of Rejection to be Reviewed on Appeal**

1. Whether claims 6-10 are nonstatutory under 35 U.S.C. 101.

2. Whether claims 1-3, 6-9, and 21 are unpatentable under 35 U.S.C. 103(a) over Beck (US Patent Number 2004/0122951 A1), hereinafter "Beck," in view of Kafri (US Patent Publication Number 2003/0223551 A1), hereinafter "Kafri," French (US Patent Number 5,437,024 A), hereinafter "French," and Shires (US Patent Number 6,792,102), hereinafter "Shires."

3. Whether claims 4, 5, and 10 are unpatentable under 35 U.S.C. 103(a) over Beck in view of Kafri, French, Shires, and Pedersen (US Patent Publication Number 2003/0229667 A1), hereinafter "Pedersen."

4. Whether claims 11-12 and 15-18 are unpatentable under 35 U.S.C. 103(a) over Beck, Kafri, French, Shires, and Morris (US Patent Number 7,305,479 B1), hereinafter "Morris."

5. Whether claims 13-14 and 19-20 are unpatentable under 35 U.S.C. 103(a) over Beck, Kafri, French, Shires, Morris, and Pedersen.

## 7. Argument

### A) The Applicable Law

35 U.S.C. 101 recites: "Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title."

MPEP 2106 (II) (C) recites: "Where means plus function language is used to define the characteristics of a machine or manufacture invention, such language must be interpreted to read on only the structures or materials disclosed in the specification and "equivalents thereof" that correspond to the recited function. In re Donaldson, 16 F.3d 1189, 1193, 29 USPQ2d 1845, 1848 (Fed. Cir. 1994) (en banc); In re Alappat, 33 F.3d 1526, 1540, 31 USPQ2d 1545, 1554 (Fed. Cir. 1994) (en banc)." (emphasis added).

Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. In re Dillon 919 F.2d 688, 16 USPQ 2d 1897, 1908 (Fed. Cir. 1990) (en banc), cert. denied, 500 U.S. 904 (1991). It is not enough, however, that the prior art reference discloses all the claimed elements in isolation. Rather, "[a]nticipation requires the presence in a single prior reference disclosure of each and every element of the claimed invention, *arranged as in the claim*." *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)) (emphasis added). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989); MPEP § 2131.

The Examiner has the burden under 35 U.S.C. § 103 to establish a *prima facie* case of obviousness. In re Fine, 837 F.2d 1071, 1074, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988). To do that the Examiner must show that some objective teaching in the prior art or some knowledge generally available to one of ordinary skill in the art would lead an individual to combine the relevant teaching of the references. *Id.*

The *Fine* court stated that:

Obviousness is tested by "what the combined teaching of the references would have suggested to those of ordinary skill in the art." In re Keller, 642

F.2d 413, 425, 208 USPQ 871, 878 (CCPA 1981). But it "cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching or suggestion supporting the combination." *ACS Hosp. Sys.*, 732 F.2d at 1577, 221 USPQ at 933. And "teachings of references can be combined *only* if there is some suggestion or incentive to do so." *Id.* (emphasis in original).

In order for the Examiner to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed.Cir. 1991).

An invention can be obvious even though the suggestion to combine prior art teachings is not found in a specific reference. *In re Oetiker*, 24 USPQ2d 1443 (Fed. Cir. 1992). At the same time, however, although it is not necessary that the cited references or prior art specifically suggest making the combination, there must be some teaching somewhere which provides the suggestion or motivation to combine prior art teachings and applies that combination to solve the same or similar problem which the claimed invention addresses. One of ordinary skill in the art will be presumed to know of any such teaching. (See, e.g., *In re Nilssen*, 851 F.2d 1401, 1403, 7 USPQ2d 1500, 1502 (Fed. Cir. 1988) and *In re Wood*, 599 F.2d 1032, 1037, 202 USPQ 171, 174 (CCPA 1979)).

A factor cutting against a finding of motivation to combine or modify the prior art is when the prior art teaches away from the claimed combination. A reference may be said to teach away when a person of ordinary skill, upon reading the reference, would be discouraged from following the path set out in the reference, or would be led in a direction divergent from the path the applicant took. *In re Gurley*, 27 F.3d 551, 31 USPQ 2d 1130, 1131 (Fed. Cir. 1994); *United States v. Adams*, 383 U.S. 39, 52, 148 USPQ 479, 484 (1966);

*In re Spinnoble*, 405 F.2d 578, 587, 160 USPQ 237, 244 (C.C.P.A. 1969); *In re Caldwell*, 319 F.2d 254, 256, 138 USPQ 243, 245 (C.C.P.A. 1963).

The test for obviousness under § 103 must take into consideration the invention as a whole; that is, one must consider the particular problem solved by the combination of elements that define the invention. *Interconnect Planning Corp. v. Feil*, 774 F.2d 1132, 1143, 227 USPQ 543, 551 (Fed. Cir. 1985). Furthermore, claims must be interpreted in light of the specification, claim language, other claims and prosecution history. *Panduit Corp. v. Dennison Mfg. Co.*, 810 F.2d 1561, 1568, 1 USPQ2d 1593, 1597 (Fed. Cir. 1987), *cert. denied*, 481 U.S. 1052 (1987). At the same time, a prior patent cited as a § 103 reference must be considered in its entirety, "*i.e.* as a *whole*, including portions that lead away from the invention." *Id.* That is, the Examiner must, as one of the inquiries pertinent to any obviousness inquiry under 35 U.S.C. § 103, recognize and consider not only the similarities but also the critical differences between the claimed invention and the prior art. *In re Bond*, 910 F.2d 831, 834, 15 USPQ2d 1566, 1568 (Fed. Cir. 1990), *reh'g denied*, 1990 U.S. App. LEXIS 19971 (Fed. Cir. 1990). Finally, the Examiner must avoid hindsight. *Id.*

The express, implicit, and inherent disclosures of a prior art reference may be relied upon in the rejection of claims under 35 U.S.C. 102 or 103. But, the fact that a certain result or characteristic may occur or be present in the prior art is not sufficient to establish the inherency of that result or characteristic. *In re Rijckaert*, 9 F.3d 1531, 1534, 28 USPQ2d 1955, 1957 (Fed. Cir. 1993). Further, "[i]n relying upon the theory of inherency, the examiner must provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the applied prior art." *Ex parte Levy*, 17 USPQ2d 1461, 1464 (Bd. Pat. App. & Inter. 1990) (emphasis in original).

## B) Discussion of the Rejections

### 1. Claims 6-10 are rejected under 35 U.S.C. 101.

#### Claims 6-10

Claims 6-10 are rejected under 35 U.S.C. 101 because "it is software per se."

Applicant respectfully traverses these grounds for rejection for the reasons argued below. Claims 6-10 include means plus function language. MPEP 2106 (II) (C) recites: "Where means plus function language is used to define the characteristics of a machine or manufacture invention, such language must be interpreted to read on only the structures or materials disclosed in the specification and "equivalents thereof" that correspond to the recited function. In re Donaldson, 16 F.3d 1189, 1193, 29 USPQ2d 1845, 1848 (Fed. Cir. 1994) (en banc); In re Alappat, 33 F.3d 1526, 1540, 31 USPQ2d 1545, 1554 (Fed. Cir. 1994) (en banc)." (emphasis added).

Thus, the means plus function language of claims 6-10 must be interpreted to read on only the structures or materials disclosed in the specification and equivalents thereof that correspond to the recited function. The specification at page 6 lines 24-28, page 7, lines 1-28, page 8, lines 1-3, page 9, lines 26-28, page 10, lines 1-27, and page 11, lines 1-5, discloses the structures or materials of "the storage device 162," "read only memory (ROM), random access memory (RAM), magnetic disk storage media, optical storage media, flash memory devices," "The storage device 162 includes a controller 172," "the controller 172 includes instructions capable of executing on the processor 160 or statements capable of being interpreted by instructions executing on the processor 160 to perform the functions as further described below with reference to Fig. 5. In another embodiment, the controller 172 may be implemented in hardware via logic gates and/or other appropriate hardware techniques," "a personal computer," "Portable computers, laptop or notebook computers, PDAs (Personal Digital Assistants), pocket computers, telephones, pagers, automobiles, teleconferencing systems, appliances, and mainframe computers," "hardware," "peripheral devices such as audio adapters, or chip programming devices, such as EPROM (Erasable Programmable Read-Only Memory) programming devices," "one or more instructions that are resident at various times in various memory and storage devices in the website server 102, the client 104, the server 106, and the computer 124 and that, when read and executed by one or more processors cause the website server 102, the client 104, the server 106, and/or the computer 124 to perform the steps necessary to execute steps or elements embodying the various aspects of an embodiment of the invention," "information permanently stored on a non-rewritable storage medium, e.g., a read-only memory device attached to or within an

electronic device, such as a CD-ROM readable by a CD-ROM drive,” and “alterable information stored on a rewriteable storage medium, e.g., a hard disk drive or diskette.”

Thus, claims 6-10 have the necessary physical components to constitute a machine or manufacture, and are statutory under 35 U.S.C. 101.

2. Claims 1-3, 6-9, and 21 are rejected under 35 U.S.C. 103(a) over Beck (US Patent Number 2004/0122951 A1), hereinafter “Beck,” in view of Kafri (US Patent Publication Number 2003/0223551 A1), hereinafter “Kafri,” French (US Patent Number 5,437,024 A), hereinafter “French,” and Shires (US Patent Number 6,792,102), hereinafter “Shires.”

#### Claim 1

Claim 1 recites: “sending the message and the indication of the preferred delivery technique to a queue at the server, wherein the queue is associated with a printer, the telephone area code, and the telephone exchange, wherein the message further comprises a file, and wherein the sending further comprises appending the telephone number of the recipient to a name of the file that is sent to the queue,” which the Examiner admits is not described by Beck and Kafri. The Examiner relies on French.

French at column 26, lines 55-58 recites that “identification information as to the report recipients (for example, the fax number(s) of all report recipients) [are] passed as parameters to the module 180.” French at column 27, lines 18-20 recites: “If the report is not in the fax queue, the report is added to the fax queue.” Thus, French receives fax numbers as parameters and adds reports to fax queue. Hence, French teaches away from “appending the telephone number of the recipient to a name of the file that is sent to the queue,” as recited in claim 1 because French receives its “fax number(s)” as “parameters” and not as an appended name of a report. If the French “fax number(s)” were appended to a name of the French report, French would be receiving the “fax number(s)” twice, both as parameters and as part of a name of the French report, which would be a waste of processing time.

Further, the French queue is not associated with a telephone area code and telephone exchange, as recited in claim 1. Instead, all French faxes added to the same French “fax queue” as illustrated by Fig. 13 at elements 193, 194, 195, and 196. Thus, French teaches away from “sending the message and the indication of the preferred delivery technique to a

queue at the server, wherein the queue is associated with a printer, the telephone area code, and the telephone exchange, wherein the message further comprises a file, and wherein the sending further comprises appending the telephone number of the recipient to a name of the file that is sent to the queue,” as recited in claim 1.

In contrast to claim 1, Shires at column 5, lines 38-40 recites: “A call-back request for live customer support is routed to the agent station 160 in the form of a routed call 350 by the call center 140.” In further contrast to claim 1, Shires at column 7, lines 31-35 recites: “For example, the identification of the user who issues the call-back request 510 and the call-back phone number may be extracted from the request 510 and recorded in a queue of call-back requests.”

Thus, Shires teaches away from “sending the message and the indication of the preferred delivery technique to a queue at the server, wherein the queue is associated with a printer, the telephone area code, and the telephone exchange, wherein the message further comprises a file, and wherein the sending further comprises appending the telephone number of the recipient to a name of the file that is sent to the queue,” as recited in claim 1, because Shires stores the call-back phone number of the user who issues the call-back request in the Shires queue while claim 1 appends the telephone number of the recipient to the file name and because all Shires “call-back phone number[s]” are recorded in the same “queue of call-back requests” while in claim 1, the queue is associated with ... the telephone area code, and the telephone exchange.”

Thus, Beck, Kafri, French, and Shires do not teach or suggest “sending the message and the indication of the preferred delivery technique to a queue at the server, wherein the queue is associated with a printer, the telephone area code, and the telephone exchange, wherein the message further comprises a file, and wherein the sending further comprises appending the telephone number of the recipient to a name of the file that is sent to the queue,” as recited in claim 1.

#### Claims 2-3

Claims 2-3 are dependent on claim 1 and are patentable for the reasons argued above.

#### Claims 6-9



Claim 6 recites “means for sending the message to the recipient via the preferred delivery technique and the server, wherein the means for sending further comprises means for sending the message and the indication of the preferred delivery technique to a queue at the server, wherein the queue is associated with a printer, the telephone area code, and the telephone exchange, wherein the message further comprises a file, and wherein the sending further comprises appending the telephone number of the recipient to a name of the file that is sent to the queue,” and is patentable for the reasons argued above.

Claims 7-9 are dependent on claim 6 and are patentable for the reasons argued above.

#### Claim 21

Claim 21 recites “configuring the computing device to send the message and an indication of the preferred delivery technique to the server, wherein the configuring the computing device to send further comprises configuring the computing device to send the message and the indication of the preferred delivery technique to a queue at the server, wherein the queue is associated with a printer, the telephone area code, and the telephone exchange, wherein the message further comprises a file, and wherein the configuring the computing device to send further comprises configuring the computing device to append the telephone number of the recipient to a name of the file that is sent to the queue,” and is patentable for the reasons argued above.

3. Claims 4, 5, and 10 are rejected under 35 U.S.C. 103(a) over Beck in view of Kafri, French, Shires, and Pedersen (US Patent Publication Number 2003/0229667 A1), hereinafter “Pedersen.”

#### Claims 4 and 5

Claims 4 and 5 are dependent on claim 1 and are patentable over Beck, Kafri, French, and Shires for the reasons argued above.

Pedersen also does not teach or suggest “sending the message and the indication of the preferred delivery technique to a queue at the server, wherein the queue is associated with a printer, the telephone area code, and the telephone exchange, wherein the message further comprises a file, and wherein the sending further comprises appending the telephone number

of the recipient to a name of the file that is sent to the queue,” as recited in claim 1 because Pedersen does not teach or suggest a queue or a queue that is associated with a printer. Instead Pedersen at [0062] merely “feeds the information to a printer.”

Thus, Beck, Kafri, French, Shires, and Pedersen do not teach or suggest “sending the message and the indication of the preferred delivery technique to a queue at the server, wherein the queue is associated with a printer, the telephone area code, and the telephone exchange, wherein the message further comprises a file, and wherein the sending further comprises appending the telephone number of the recipient to a name of the file that is sent to the queue,” as recited in claim 1, on which claims 4 and 5 depend.

#### Claim 10

Claim 10 is dependent on claim 6, which recites “means for sending the message to the recipient via the preferred delivery technique and the server, wherein the means for sending further comprises means for sending the message and the indication of the preferred delivery technique to a queue at the server, wherein the queue is associated with a printer, the telephone area code, and the telephone exchange, wherein the message further comprises a file, and wherein the sending further comprises appending the telephone number of the recipient to a name of the file that is sent to the queue,” and is patentable over Beck, Kafri, French, Shires, and Pedersen for the reasons argued above.

4. Claims 11-12 and 15-18 are rejected under 35 U.S.C. 103(a) over Beck, Kafri, French, Shires, and Morris (US Patent Number 7,305,479 B1), hereinafter “Morris.”

#### Claims 11

Claim 11 recites: “sending the message and an indication of the preferred delivery technique to the server, wherein the sending further comprises sending the message and the indication of the preferred delivery technique to a queue at the server, wherein the queue is associated with a printer, the telephone area code, and the telephone exchange, wherein the message further comprises a file, and wherein the sending further comprises appending the telephone number of the recipient to a name of the file that is sent to the queue,” and is patentable over Beck, Kafri, French, and Shires for the reasons argued above.

Morris also does not teach or suggest “sending the message and an indication of the preferred delivery technique to the server, wherein the sending further comprises sending the message and the indication of the preferred delivery technique to a queue at the server, wherein the queue is associated with a printer, the telephone area code, and the telephone exchange, wherein the message further comprises a file, and wherein the sending further comprises appending the telephone number of the recipient to a name of the file,” as recited in claim 11 because Morris does not teach or suggest a queue or a printer and does not associate a queue with a printer.

Thus claim 11 is patentable over Beck, Kafri, French, Shires, and Morris.

Claims 12 and 15

Claims 12 and 15 are dependent on claim 11 and are patentable for the reasons argued above.

Claims 16-18

Claim 16 recites: “sending the message to the recipient via the preferred delivery technique and the server, wherein the sending further comprises sending the message and the indication of the preferred delivery technique to a queue at the server, wherein the queue is associated with a printer, the telephone area code, and the telephone exchange, wherein the message further comprises a file, and wherein the sending further comprises appending the telephone number of the recipient to a name of the file that is sent to the queue,” and is patentable for the reasons argued above.

Claims 17-18

Claims 17 and 18 are dependent on claim 16 and are patentable for the reasons argued above.

5. Claims 13-14 and 19-20 are rejected under 35 U.S.C. 103(a) over Beck, Kafri, French, Shires, Morris, and Pedersen.

Claims 13-14 and 19-20

Appellant:	John E. McGinn	Page 30
Serial No.:	10/753,522	
Filed:	January 8, 2004	Docket: ROC920030243US1
Title:	Contacting a Recipient by a Preferred Technique via a Page	

Claims 13-14 and 19-20 are dependent on claims 11 and 16, respectively, and are patentable for the reasons argued above.

Appellant: John E. McGinn Page 31  
Serial No.: 10/753,522  
Filed: January 8, 2004 Docket: ROC920030243US1  
Title: Contacting a Recipient by a Preferred Technique via a Page

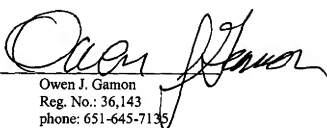
**Conclusion**

Appellant respectfully requests reversal of the above rejections. If the Board is of the opinion that any rejected claim may be allowable in amended form, then appellant also respectfully requests a statement to that effect.

Respectfully submitted,

Date April 27, 2009

By

  
Owen J. Gamon  
Reg. No.: 36,143  
phone: 651-645-7135  
fax: 651-457-5622

IBM Corporation  
Intellectual Property Law  
Dept. 917, Bldg. 006-1  
3605 Highway 52 North  
Rochester, MN 55901

Certificate under 37 C.F.R. 1.8: I hereby certify that this correspondence is being transmitted via facsimile (Fax no: 571-273-8300) to the Commissioner of Patents, or is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Appeal Brief-Patents, Commissioner of Patents, Alexandria, VA 22313-1450, or is being transmitted via the Office electronic filing system on April 27, 2009

Name Owen J. Gamon

Signature



## **8. CLAIMS APPENDIX**

### **1. A method comprising:**

determining a server and a preferred delivery technique associated with a recipient in response to a message intended for the recipient selected via a page, wherein the determining further comprises finding a telephone area code, a telephone exchange, and a telephone number of the recipient in the page and determining the server that is identified by the telephone area code, wherein the server is physically located within a region served by the telephone area code; and

sending the message and an indication of the preferred delivery technique to the server, wherein the sending further comprises sending the message and the indication of the preferred delivery technique to a queue at the server, wherein the queue is associated with a printer, the telephone area code, and the telephone exchange, wherein the message further comprises a file, and wherein the sending further comprises appending the telephone number of the recipient to a name of the file that is sent to the queue, wherein the server

sends a fax of the message to the recipient if the preferred delivery technique comprises a fax transmission,

calls the recipient and plays the message if the preferred delivery technique comprises voice,

sends an email of the message to the recipient if the preferred delivery technique comprises an email transmission, and

prints and mails the message to the recipient if the preferred delivery technique comprises a physical delivery.

2. The method of claim 1, wherein the file further comprises a spool file.:
3. The method of claim 1, wherein the preferred delivery technique is encoded in the page.
4. The method of claim 1, wherein the message further comprises an order for services.
5. The method of claim 1, wherein the message further comprises an order for goods.
6. An apparatus comprising:
  - means for determining a server and a preferred delivery technique associated with a recipient in response to a message intended for the recipient selected via a page, wherein the preferred delivery technique is encoded in the page, wherein the means for determining the server further comprises means for finding a telephone area code and a telephone exchange of the recipient in the page and means for determining the server that is identified by the telephone area code, wherein the server is physically located within a region served by the telephone area code; and
  - means for sending the message to the recipient via the preferred delivery technique and the server, wherein the means for sending further comprises means for sending the message and the indication of the preferred delivery technique to a queue at the server, wherein the queue is associated with a printer, the telephone area code, and the telephone exchange, wherein the message further comprises a file, and wherein the sending further comprises appending the telephone number of the recipient to a name of the file that is sent to the queue, wherein the server

sends a fax of the message to the recipient if the preferred delivery technique comprises a fax transmission,

calls the recipient and plays the message if the preferred delivery technique comprises voice,

sends an email of the message to the recipient if the preferred delivery technique comprises an email transmission, and

prints and mails the message to the recipient if the preferred delivery technique comprises a physical delivery.

7. The apparatus of claim 6, wherein the file further comprises a spool file.:
8. The apparatus of claim 6, wherein the server is further physically located within the region served by the telephone area code and the telephone exchange.
9. The apparatus of claim 6, wherein the message further comprises an order for goods.
10. The apparatus of claim 6, wherein the message further comprises an order for services.
11. A storage medium encoded with instructions, wherein the instructions when executed comprise:

encoding an identification of a recipient, a telephone number for the recipient, and a preferred delivery technique for messages intended for the recipient into a page;



determining a server and the preferred delivery technique associated with the recipient in response to a message intended for the recipient selected via the page, wherein the determining further comprises finding a telephone area code, a telephone exchange, and the telephone number of the recipient in the page and determining the server that is identified by the telephone area code, wherein the server is physically located within a region served by the telephone area code; and

sending the message and an indication of the preferred delivery technique to the server, wherein the sending further comprises sending the message and the indication of the preferred delivery technique to a queue at the server, wherein the queue is associated with a printer, the telephone area code, and the telephone exchange, wherein the message further comprises a file, and wherein the sending further comprises appending the telephone number of the recipient to a name of the file that is sent to the queue, wherein the server

sends a fax of the message to the recipient if the preferred delivery technique comprises a fax transmission,

calls the recipient and plays the message if the preferred delivery technique comprises voice,

sends an email of the message to the recipient if the preferred delivery technique comprises an email transmission, and

prints and mails the message to the recipient if the preferred delivery technique comprises a physical delivery.

12. The storage medium of claim 11, wherein the file further comprises a spool file.

13. The storage medium of claim 11, wherein the message further comprises an order for goods.

14. The storage medium of claim 11, wherein the message further comprises an order for services.

15. The storage medium of claim 12, wherein the server is further physically located within the region served by the telephone area code and the telephone exchange.

16. An electronic device comprising:

a processor; and

a storage device encoded with instructions, wherein the instructions when executed on the processor comprise:

determining a server and a preferred delivery technique associated with a recipient in response to a message intended for the recipient selected via a page, wherein the preferred delivery technique and an identification of the server are encoded in the page, wherein the determining further comprises finding a telephone area code, a telephone exchange, and a telephone number of the recipient in the page and determining the server that is identified by the telephone area code, wherein the server is physically located within a region served by the telephone area code, and sending the message to the recipient via the preferred delivery technique and the server, wherein the sending further comprises sending the message and the indication of the preferred delivery technique to a queue at the server, wherein the

queue is associated with a printer, the telephone area code, and the telephone exchange, wherein the message further comprises a file, and wherein the sending further comprises appending the telephone number of the recipient to a name of the file that is sent to the queue, wherein the server

sends a fax of the message to the recipient if the preferred delivery technique comprises a fax transmission,

calls the recipient and plays the message if the preferred delivery technique comprises voice,

sends an email of the message to the recipient if the preferred delivery technique comprises an email transmission, and

prints and mails the message to the recipient if the preferred delivery technique comprises a physical delivery.

17. The electronic device of claim 16, wherein the server is further physically located within the region served by the telephone area code and the telephone exchange.

18. The electronic device of claim 17, wherein the file further comprises a spool file.

19. The electronic device of claim 16, wherein the message further comprises an order for goods.

20. The electronic device of claim 16, wherein the message further comprises an order for services.

21. A method of configuring a computing device to perform a method of contacting a recipient by a preferred technique via a page, the method comprising:

configuring a computing device to determine a server and a preferred delivery technique associated with a recipient in response to a message intended for the recipient selected via a page, wherein the configuring the computing device to determine further comprises configuring the computing device to find a telephone area code, a telephone exchange, and a telephone number of the recipient in the page and determine the server that is identified by the telephone area code, wherein the server is physically located within a region served by the telephone area code; and

configuring the computing device to send the message and an indication of the preferred delivery technique to the server, wherein the configuring the computing device to send further comprises configuring the computing device to send the message and the indication of the preferred delivery technique to a queue at the server, wherein the queue is associated with a printer, the telephone area code, and the telephone exchange, wherein the message further comprises a file, and wherein the configuring the computing device to send further comprises configuring the computing device to append the telephone number of the recipient to a name of the file that is sent to the queue, wherein the server

sends a fax of the message to the recipient if the preferred delivery technique comprises a fax transmission,

calls the recipient and plays the message if the preferred delivery technique comprises voice,

Appellant:	John E. McGinn	Page 39
Serial No.:	10/753,522	
Filed:	January 8, 2004	Docket: ROC920030243US1
Title:	Contacting a Recipient by a Preferred Technique via a Page	

sends an email of the message to the recipient if the preferred delivery technique comprises an email transmission, and

prints and mails the message to the recipient if the preferred delivery technique comprises a physical delivery.

Appellant: John E. McGinn Page 40  
Serial No.: 10/753,522  
Filed: January 8, 2004 Docket: ROC920030243US1  
Title: Contacting a Recipient by a Preferred Technique via a Page

**9. EVIDENCE APPENDIX**

None.

Appellant: John E. McGinn Page 41  
Serial No.: 10/753,522  
Filed: January 8, 2004 Docket: ROC920030243US1  
Title: Contacting a Recipient by a Preferred Technique via a Page

**10. RELATED PROCEEDINGS APPENDIX**

None.